

1 whether checks could be messengered to you?

2 A I didn't see any need for that, sir.

3 Q And, and why is that?

4 A Well, even as a pastor in my own church, we have
5 some accounts that I do not sign the checks. There's just no
6 need for me to do it.

7 Q Of course, you realize, then, you were the Chief
8 Financial Officer of TTI?

9 A My --

10 Q You, you under-- you --

11 A Sure.

12 Q -- understand that?

13 A Yes, sir.

14 Q Okay. And is, is -- isn't it your view that the,
15 that the Chief Financial Officer should sign at least some of
16 the checks of the organization for which he's the Chief
17 Financial Officer?

18 A Given the, the consideration of the distance that I
19 was at, I felt that there would have been times when they
20 would need a check signed right away. And with a distance of,
21 of, of my home to Trinity Broadcasting, it just didn't make
22 sense or --

23 Q But you didn't give consideration to, to having a
24 messenger service or a courier service --

25 A No, not at all, sir.

1 Q Did it ever occur to you?

2 A No.

3 JUDGE CHACHKIN: Well, what did you think what your
4 responsibilities were as a Chief Financial Officer? You
5 accepted that role. You didn't object it. Now, what did you
6 think your, your responsibilities would be as a Chief
7 Financial Officer? If it wasn't to sign checks, what other
8 responsibilities would you believe you had?

9 MR. ESPINOZA: To have a, a voice, to have a input.
10 But given the fact that I was a pastor, Mrs. Duff helped with
11 much of that area of responsibility.

12 JUDGE CHACHKIN: Well, what did you do as a Chief
13 Financial Officer? Anything?

14 MR. ESPINOZA: Just have a voice in, in, in the
15 meetings and give my opinions, sir.

16 JUDGE CHACHKIN: Well, what does that have to do
17 with being Chief Financial Officer? Isn't there something in
18 the By-Laws as to responsibilities of a Chief Financial
19 Officer?

20 MR. ESPINOZA: Yes, sir.

21 JUDGE CHACHKIN: Well, did you fulfill those
22 responsibilities?

23 MR. ESPINOZA: In hindsight, probably not very well,
24 sir.

25 JUDGE CHACHKIN: Well, I can't think of -- can you

1 tell me one thing you did as a Chief Financial Officer --

2 MR. ESPINOZA: No, sir.

3 JUDGE CHACHKIN: -- consistent with your responsi-
4 bilities -- your answer is -- all right. Go ahead, Mr. Cohen.

5 BY MR. COHEN:

6 Q Did you ever give consideration to resigning as
7 Chief Financial Officer because of the fact that you were a
8 couple of hours away?

9 A Eventually I did, sir.

10 Q Eventually. But I meant -- you didn't -- you resig-
11 ned from the Board at the end of your tenure back in 1990,
12 correct?

13 A Yes, sir.

14 Q I'm speaking about before 1990. Did you ever give
15 consideration to resigning because of your distance from TBN
16 and NMTV --

17 A I don't think I did, Mr. Cohen.

18 Q I want to ask you to look at Bureau Exhibit 49.

19 MR. TOPEL: It's going to be in Volume 1.

20 MR. COHEN: That's the wrong, that's the wrong
21 exhibit. Excuse me.

22 (Pause.)

23 BY MR. COHEN:

24 Q Do you remember when you saw the -- strike that.
25 You, you aware that, that NMTV or TTI had By-Laws, of course?

1 A Yes, sir.

2 Q Do you remember when you saw them for the first
3 time?

4 A No, I don't.

5 Q But you do recall seeing them?

6 A Yes. Yes, sir.

7 Q Do you recall reviewing them?

8 A Yes, sir.

9 Q Did you ever receive a copy of the By-Laws for
10 yourself? Were you ever given a copy of the By-Laws?

11 A That I don't recall, Mr. Cohen.

12 Q You don't think you did, though, did you? You don't
13 think you did receive one, do you?

14 A I don't think so.

15 Q And the same question for the Articles?

16 A Correct, sir.

17 Q What is your understanding of the significance of
18 the By-Laws of the Corporation?

19 A It's, it's the guidelines to carry out the purposes
20 of the Corporation.

21 Q And your church is a corporation, isn't it?

22 A Yes, sir.

23 Q And your church has By-Laws, correct?

24 A Yes, sir.

25 Q And those are the By-Laws that are set forth under

1 the, the -- strike that. Your church is a, is a religious
2 corporation formed under the laws of California?

3 A Yes, sir.

4 Q And it was under that -- it was a similar provision
5 or the same provision under which TTI was incorporated? You
6 knew that?

7 A Yes, sir.

8 Q Now, give me your, your best recollection of when --
9 of, of how much time you can recall ever devoting while you
10 were a Director and Officer to, to reading the By-Laws. Give
11 me your best recollection.

12 A How much time I spent reading them?

13 Q Yeah. Fifteen minutes, twenty minutes, two hours?
14 Give me your best recollection, during all the time you were a
15 Director.

16 A I could -- I, I'd be guessing, sir. I, I don't
17 know.

18 Q But you did read them?

19 A Yes, sir.

20 Q Did you, did you believe you were familiar with
21 them?

22 A At the time that I read them I was.

23 Q And I, and I -- the reason I'm asking is I wanted to
24 follow through with a question that the Judge asked you about,
25 because we'll put the By-- I'll put the By-Laws in front of

1 you, and I think that would be the best thing to do. Why
2 don't you refer to the By-Laws, and that would be Exhibit --

3 JUDGE CHACHKIN: Nine.

4 MR. COHEN: Nine. Thank you, Your Honor.

5 JUDGE CHACHKIN: Mass Media Bureau Exhibit 9.

6 MR. COHEN: That would be in the first volume,
7 pastor. Do you have it?

8 MR. ESPINOZA: Yes, sir.

9 MR. COHEN: Now, tell me when you've found that,
10 pastor.

11 JUDGE CHACHKIN: The witness has the By-Laws.

12 MR. ESPINOZA: Yes, sir.

13 BY MR. COHEN:

14 Q And along the lines of what the, the Judge was
15 asking you about, look at, look at page -- number page. Let
16 me help you find it. What I, what I want you to look at is
17 the page that's entitled Chief Financial Officer. Do you see
18 that?

19 A Yes, sir.

20 Q Okay. And that's paragraph (E)(m). You'll notice
21 it says, "The Chief Financial Officer shall attend to the
22 following..." and there's three different provisions there.
23 When you read that, you must have realized that that's --
24 those were the duties of the Chief Financial Officer. Am I
25 correct?

1 A Yes, sir.

2 Q Okay. And your testimony is you didn't, you didn't
3 carry out those duties?

4 A No, sir.

5 Q Okay. Did -- was this a matter that you gave any
6 consideration to?

7 A Yes, I did, sir.

8 Q And what consideration did you give to that?

9 A Well, although I would have the title, that Mrs.
10 Dunne would, would help me with so much of this work.

11 Q You mean Mrs. Duff?

12 A I apologize.

13 Q I do that all the time. You -- that was your under-
14 standing?

15 A Yes, sir.

16 Q Okay. Now, was that an understanding that was
17 worked out with Mrs. Duff?

18 A I believe that we talked about it, sir.

19 Q And was, was that something that you assumed or was
20 that something that was expressed?

21 A I believe that Mrs. Duff and I talked about it, sir.

22 Q And what -- do you give -- give me your best recol-
23 lection of when you talked about it.

24 A Mr. Cohen, I believe it would have been towards,
25 towards the beginning of my time with TTI. I couldn't give

1 you an exact date, sir.

2 Q I understand. Was it when she spoke with you about
3 joining as a Director?

4 A Just sometime towards the beginning, sir.

5 Q Well, there must have been a time -- or strike that.
6 Did there -- there must have come a time when you realized
7 that you had been elected as Chief Financial Officer. Isn't
8 that right?

9 A Yes, sir.

10 Q Okay. And there must have been a time that -- or am
11 I correct that you realized that you weren't carrying out the
12 duties of Chief Financial Officer?

13 A Yes, sir.

14 Q Was it then that you discussed this matter with Mrs.
15 Duff?

16 A That's why you say it would have been some time
17 towards the beginning, sir.

18 Q And what did she say to you? Give me your best
19 recollection of what you said to her and she said to you.

20 A If memory serves me right, only that she would help
21 with the responsibilities, sir. That's the best answer I can
22 -- the best honest answer I can give you.

23 JUDGE CHACHKIN: But, in fact, she did more than
24 help. She in fact performed the responsibilities and you did
25 nothing?

1 MR. ESPINOZA: That is correct, sir.

2 JUDGE CHACHKIN: Was there any reason why Ms. Duff
3 wanted you to retain the title of Chief Financial Officer if
4 you weren't able to perform the, the duties?

5 MR. ESPINOZA: I don't know, sir.

6 JUDGE CHACHKIN: Well, did that come up? Did you,
7 did you -- at some point when you told Ms. Duff that because
8 of your church activities you went on -- and because of the
9 distance from National Minority's offices that you couldn't
10 perform these duties? Did you at that time or at any other
11 time offer to resign from this position? And what, if any-
12 thing, was Mrs. Duff's response?

13 MR. ESPINOZA: I felt that, seeing that the work
14 could not be carried out, that they would ask me to resign.
15 Since they didn't, I felt that they wanted my voice as a
16 Hispanic. They wanted my input, my opinions of the little
17 experience that I had in television.

18 JUDGE CHACHKIN: No. I'm not talking as a Director.
19 I'm talking about as Chief Financial Officer.

20 MR. ESPINOZA: Um-hum.

21 JUDGE CHACHKIN: I mean, that's a separate --

22 MR. ESPINOZA: Yes, sir.

23 JUDGE CHACHKIN: -- position. I'm talking about
24 since you were unable to perform the functions of a Chief
25 Financial Officer, my question is why didn't you resign from

1 that job position, and what, if anything, did Ms. Duff and you
2 discuss about your, your continuing to perform in that role
3 since you couldn't perform the functions?

4 MR. ESPINOZA: My recollection, Your Honor, is that
5 we talked about it and, and she was going to do most of the
6 work, or all of the work, in essence, and I felt at that time
7 they would have asked me for my, my resignation. Since they
8 didn't, I felt that they wanted my voice, my input, my
9 opinion.

10 JUDGE CHACHKIN: On, on financial matters?

11 MR. ESPINOZA: On any matters, sir.

12 JUDGE CHACHKIN: But I'm still -- I still don't
13 understand. I mean, you could have continued to remain a
14 Director, which you did, and attend meetings, as you say --

15 MR. ESPINOZA: Yes, sir.

16 JUDGE CHACHKIN: -- but as far as the office of
17 Chief Financial Officer, I'm -- what I'm trying to understand
18 is why you continued in that position for the ten years you
19 were there if in fact you and Mrs. Duff knew that you were
20 unable to perform the responsibilities of a Chief Financial
21 Officer?

22 MR. ESPINOZA: Sir, in hindsight I realize now that
23 I should have resigned much earlier.

24 JUDGE CHACHKIN: But you weren't asked to resign at
25 any time?

1 MR. ESPINOZA: No, sir.

2 JUDGE CHACHKIN: Go ahead, Mr. Cohen.

3 BY MR. COHEN:

4 Q Now, and we'll, we'll -- perhaps we'll have to
5 develop this year by year, but as you recall there were yearly
6 meetings, and at each meeting there would be a re-election of
7 Officers.

8 A Yes, sir.

9 Q And you began -- and you became re-- you were re-
10 elected to Chief Financial Officer, and then you became a Vice
11 President. Of course, I, I'll go through this, but you, you
12 served in other officerships.

13 A Yes, sir.

14 Q But, in point of fact, you never did anything as an
15 Officer. That's the point I want to make. Isn't that right?

16 A Well --

17 Q As compared to being a Director.

18 A That's correct, sir.

19 Q So, you, you never thought that those title meant
20 anything, as far as you were concerned. Is that right?

21 A Given the fact that at the beginning of TTI not much
22 was being done, it really never -- I didn't think about it
23 that much because there wasn't that much to do the first few
24 years.

25 Q Well, the, the Corporation was in the television

1 business in a big way in Odessa and you were an Officer of the
2 Corporation then, weren't you?

3 A Oh, I'm talking about the first few years, sir.

4 Q Well, I, I was talking about, let's say, in 1988,
5 1987.

6 A Yes, sir.

7 Q You were an Officer then?

8 A Yes, sir.

9 Q And, and, and NMTV then owned a television
10 station --

11 A Yes, sir.

12 Q -- a low-power television station?

13 A Yes, sir.

14 Q And you were an Officer. You just never gave any
15 consideration to, to being -- to, to, to the significance of
16 being an Officer?

17 A I believe I've stated before that it's as more work,
18 more responsibilities, or NMTV started coming into its own, it
19 started growing, that that's when I started to -- '87 to --
20 the latter part of '87, '88, giving more consideration to
21 submitting my resignation, sir. And, again, in hindsight, I
22 should have done it much earlier. I didn't.

23 Q In, in point of fact, when NMTV constructed the
24 Odessa television station, the company had a lot more business
25 then?

1 A Yes, sir.

2 Q And, and you also had more demands at your church
3 because your father was aging?

4 A Yes, sir.

5 Q So, it became increasingly more difficult for you to
6 carry out your duties as a Director?

7 A Yes, sir.

8 Q And, finally, that led to your resignation?

9 A Yes, sir.

10 Q And when did, when did it begin to become more
11 difficult for you, pastor? Give me your best recollection.

12 A Oh, I believe that, Mr. Cohen, those last few years
13 became a, a struggle. I saw -- and, again, I'm not -- I'm
14 going to combine everything. My, my feelings -- I saw the
15 tremendous potential of television work, but carrying out the
16 actual work, I realized that I just could not do it.

17 Q It was too much?

18 A Yes, sir.

19 Q In other words, to be -- to carry out the activities
20 of what you recall was required of you as a Director --

21 A Yes, sir.

22 Q -- it required many more hours than you were able to
23 devote?

24 A That's correct, sir.

25 Q And when did you, when did you, when did you realize

1 that?

2 A Well, like I say, when NMTV started becoming busier.
3 It hit home, and so I started struggling with the issue of, of
4 resigning.

5 Q Well, is that -- is it fair to say that about 19--
6 beginning about 1987 that, that you reached the point that you
7 were -- you realized that you had -- you weren't able to
8 devote adequate time to NMTV? Is that a fair statement?

9 A Mr. Cohen, I think it would have been '88, '89,
10 something like that.

11 Q Well, let, let's find out when Odessa went on the
12 air. Maybe that -- will that help you? Would it not help
13 you?

14 A I believe it went on the air in '87, I believe.

15 Q I think so. I was going to check that. It's not?
16 Okay.

17 A '88.

18 MR. COHEN: We'll, we'll, we'll -- I'll get that for
19 you. Hold on. When did it -- I don't -- okay.

20 BY MR. COHEN:

21 Q I'm informed by, by lawyers whose memories are
22 better than mine that it was in October of '88. So, accept
23 that as a fact. That's when Odessa went on the air.

24 A Yes, sir.

25 Q Is that a -- was that a point in which -- at which

1 time you realized that you couldn't devote sufficient time to
2 NMTV?

3 A It was in that period, '88, '89, Mr. Cohen.

4 Q Can you -- excuse me. Is, is this a, is this a fair
5 statement, pastor, as to how you fulfilled your responsibili-
6 ties as a Director and Officer? You attended Board meetings
7 when you could and you talked on the phone with Jane Duff from
8 time to time about the activities of the Corporation?

9 A That is correct, sir.

10 JUDGE CHACHKIN: You make a statement, however, that
11 in your view that's all a Director has to do. Is that your
12 view of a Director's responsibility in a religious corpora-
13 tion, to just attend meetings and speak occasionally to one of
14 the other Directors? Or do you feel -- you're, you're, you're
15 now a Director of your own religious corporation, are you not?

16 MR. ESPINOZA: Yes, sir.

17 JUDGE CHACHKIN: Is that all you do as a relig-- as
18 Director of your corporation, just attend Board of Directors
19 meetings? Or do you do more than that?

20 MR. ESPINOZA: I do more than that, sir.

21 JUDGE CHACHKIN: Are you knowledgeable about what's
22 going on in the corporation?

23 MR. ESPINOZA: Yes, sir.

24 JUDGE CHACHKIN: What, what, what matters -- what
25 the church is involved in? Are you knowledgeable about that?

1 MR. ESPINOZA: Yes, sir.

2 JUDGE CHACHKIN: Well, don't you feel that was also
3 your responsibility as Director of National Mar-- Minority?

4 MR. ESPINOZA: Yes, sir.

5 JUDGE CHACHKIN: So, your statement here that all
6 you had to do as Director was just attend meetings and commu-
7 nicate by telephone when necessary with Mrs. Duff is, is not
8 really a true statement of your belief of what responsibili-
9 ties of Director are in a religious corporation, is it?

10 MR. ESPINOZA: As a Director of the corporation of
11 my church, Mist-- Your Honor, there are other people that
12 assume to the details of, of the work itself.

13 JUDGE CHACHKIN: I'm not talking about details. I'm
14 talking about being knowledgeable about the affairs of the
15 corporation.

16 MR. ESPINOZA: Yes, sir. That's correct.

17 JUDGE CHACHKIN: And about the administration of the
18 corporation.

19 MR. ESPINOZA: Yes, sir.

20 JUDGE CHACHKIN: And you feel that's a responsibil-
21 ity of a Director, to be knowledgeable about --

22 MR. ESPINOZA: Yes, sir.

23 JUDGE CHACHKIN: -- those things? Thank you.

24 BY MR. COHEN:

25 Q Are you -- can you estimate at any particular time

1 period, either a week or a month, while you were a Director
2 how many hours you devoted to NMTV activities?

3 A No, I couldn't say, sir.

4 Q There was a question about the By-Laws that I wanted
5 to ask you. Do you have a -- do you know whether -- you're,
6 you're familiar with the term "rights of ordination," of
7 course?

8 A Yes, sir.

9 Q That's a term you're familiar with? Okay. Does --
10 did TTI -- did it have the "rights of ordination," did its By-
11 Laws provide for that?

12 A I don't believe so, but I, I, I'm not sure.

13 Q Well, I want you to look at the, at the By-Laws.
14 And perhaps that would be -- Exhibit 9.

15 A Yes, sir.

16 Q Your cop-- look in Glendale Exhibit 5, in Glendale
17 Exhibit 5. That would be -- let me help you with that.
18 Glendale Exhibit 5 is -- this is -- here we are. Now, you'll
19 notice that what I put before you is a -- is the Rights of
20 Ordination. Do you see that?

21 A Yes, sir.

22 Q Is that the first time -- let me, let me find it
23 again.

24 A No, I've got it here.

25 Q Okay. Is that the first time --

1 JUDGE CHACHKIN: Find the, find the beginning.

2 MR. COHEN: Sure.

3 BY MR. COHEN:

4 Q That's the first time you realized that TTI had that
5 provision in its By-Laws?

6 A No. I read it before, but I simply didn't remember,
7 Mr. Cohen.

8 JUDGE CHACHKIN: You also make the statement here,
9 sir, that -- and I'm talking about your statement, your testi-
10 mony, that, "I don't know who all the Corporation's attorneys,
11 accountants, or consultants were, who hired them, or how much
12 they were paid." And, now let me ask you about your own
13 religious corporation that you're a Director of. Do you know
14 who your -- do you have an attorney for that corporation?

15 MR. ESPINOZA: No, sir.

16 JUDGE CHACHKIN: Do you have an accountant?

17 MR. ESPINOZA: Yes, sir.

18 JUDGE CHACHKIN: Do you know who he is?

19 MR. ESPINOZA: Yes, sir.

20 JUDGE CHACHKIN: Do you know how much he's paid?

21 MR. ESPINOZA: Yes.

22 JUDGE CHACHKIN: That might have came up before the
23 Board of Directors, did it not?

24 MR. ESPINOZA: Yes.

25 JUDGE CHACHKIN: And if the corporation hired an

1 attorney, you as a Director would know about it, would you
2 not?

3 MR. ESPINOZA: I would do the hiring, sir.

4 JUDGE CHACHKIN: And the matter would come up before
5 the Board, would it not --

6 MR. ESPINOZA: Yes, sir.

7 JUDGE CHACHKIN: -- as to how much to pay him,
8 whether the church could afford it?

9 MR. ESPINOZA: Yes, sir. That's correct.

10 JUDGE CHACHKIN: Go ahead, Mr. Cohen.

11 BY MR. COHEN:

12 Q Did, did you receive from anybody at any time copies
13 of the tax returns that Translator TV and then NMTV filed with
14 the State of California and with the IRS?

15 A No.

16 Q I want to ask you the same question concerning
17 audited financial statements. Did you receive for yourself
18 any copies of audited financial statements?

19 A I reviewed them, sir.

20 Q I understand that. Did you receive any copies
21 yourself?

22 A No.

23 Q Were they ever mailed to you?

24 A No.

25 Q I see. Were you ever -- did you ever receive for

1 | yourself any copies of any applications that TTI or NMTV filed
2 | with the Federal Communications Commission?

3 | A Not for my files, no, sir.

4 | Q Now, as you are aware, NMTV and -- TTI and NMTV had
5 | meetings where minutes were taken.

6 | A Yes, sir.

7 | Q Were you ever sent a copy of those Minutes for
8 | yourself?

9 | A Yes, sir.

10 | Q To keep?

11 | A Generally it was when I was not able to attend, if
12 | memory serves me right.

13 | Q Well, let me just ask you about the procedure.
14 | Assume there was going to be a meeting. You were, you were
15 | tel-- you were telephoned by Mrs. Duff, isn't that right?

16 | A Yes, sir.

17 | Q Wasn't that the procedure?

18 | A Yes, sir.

19 | Q Did you ever receive an agenda from Mrs. Duff?

20 | A I don't believe so. Generally, Mrs. Duff and I
21 | would, would, would talk about it before the meeting took
22 | place.

23 | Q But you didn't receive an agenda, a written agenda?

24 | A I don't believe so, sir.

25 | Q Now the meeting takes place. Did you ever receive a

1 copy from Mrs. Duff of proposed Minutes before she signed
2 them? In other words, draft Minutes?

3 A I believe not, sir.

4 Q Next, did you ever receive for yourself a copy of
5 the Minutes signed by either Mrs. Duff or by Mr. Juggert for
6 your own personal files?

7 A I believe not, with the exception of when I was
8 unable to attend.

9 Q Thank you. Now, during the time that you were a
10 Director, did anyone from Colby May's office, Mr. May or Mr.
11 Dunne or anyone else, ever write you a letter?

12 A I believe not, sir.

13 Q Did anybody from Mr. May's office ever telephone
14 you?

15 A I believe not, sir.

16 Q Were you ever copied on any letter that Mr. -- that
17 came from the May's -- the May law office that was directed to
18 Mrs. Dunne-- Mrs. Duff?

19 A I believe not, sir.

20 Q Were you ever copied on any letter that the law firm
21 sent to Paul Crouch?

22 A I believe not, sir.

23 (Off the record. Back on the record.)

24 BY MR. COHEN:

25 Q The Judge asked you about the, the religious

1 corporation of your church and, and your knowledge. Your
2 written testimony says that you, you don't -- you are not
3 aware of who the lawyers and the accountants were.

4 A That's correct, sir.

5 Q Did it concern you that you didn't have that infor-
6 mation when you were a Director?

7 A No.

8 Q You thought you could carry out your duties as a
9 Director without knowing that information?

10 MR. TOPEL: Excuse me. Now, which part of the
11 Director --

12 MR. COHEN: I was referring to what the, the Judge
13 read into the -- the Judge -- I -- the Judge read it or char-
14 acterized it, and that's what I was referring to.

15 MR. TOPEL: You're not --

16 JUDGE CHACHKIN: It's page 18.

17 MR. COHEN: He just asked you that.

18 MR. ESPINOZA: I'm sorry.

19 MR. COHEN: Can we have that question read back?
20 I've, I've lost it.

21 COURT REPORTER: You were saying: I was referring
22 to --

23 (Off the record. Back on the record.)

24 BY MR. COHEN:

25 Q Look on page 18 of your testimony in the middle of

1 -- well, the top of the page, line -- eight lines from the
2 top. Do you see: "I don't know who all...?"

3 A Yes, sir. I found it.

4 Q Okay. Read that to yourself.

5 A Just that paragraph, sir?

6 Q Tell me when you're -- okay. In, in point of fact,
7 you didn't know who any of the attorneys were, did you?

8 A That's correct, sir.

9 Q And you didn't know who any of the accountants were?

10 A Correct.

11 Q Or you didn't know who any of the consultants were.

12 A No, sir.

13 Q My ques-- my question is explain, sir, how you
14 thought you could carry out your duties as a Director without
15 having that information.

16 A Well, the fact was that I, I don't think I was
17 carrying out my duties at all, sir.

18 Q I'm sorry. I didn't hear you. I -- someone
19 coughed.

20 A I don't, I don't think I was carrying out my duties
21 the way I should have. In hindsight I realize that now.

22 Q And obviously, then, you had no role in choosing the
23 Corporation's attorneys?

24 A No, sir.

25 Q Or its accountants?

1 A No, sir.

2 Q Or its consultants?

3 A No, sir.

4 Q Now, the name Jim McClellan is the name that you're

5 familiar with?

6 A Yes, sir.

7 Q You remember him from Trinity, is that right?

8 A Yes, sir.

9 Q At -- are you aware that he became an employee of

10 NMTV?

11 A Yes, sir.

12 Q Okay. In what capacity?

13 A Manager, the Portland Station.

14 Q That's what I thought. Now, while you were a

15 Director, did, did you ever see Mr. McClellan?

16 A Yes, sir.

17 Q Did he ever come to any NMTV meeting while you were

18 a Director and he was General Manager of the Portland station?

19 I can give you some dates to help you, if you wish.

20 A I, I don't recall, Mr. Cohen.

21 Q Well, he came -- became an employee in January of

22 1990, and you served on the Board until July of 1990. And,

23 so, my question is during that period of time did he ever come

24 to any meeting NMTV -- any meeting that NMTV had, a Board

25 meeting?

1 A I may be mistaken, Mr. Cohen, but I believe that the
2 meeting that was held in 1990, I'm not sure if I attended that
3 meeting. I could be wrong, sir.

4 Q But you don't recall --

5 A I don't recall --

6 Q -- seeing him --

7 A -- seeing him. No, sir.

8 Q You don't recall seeing him?

9 A No, sir.

10 Q Now, I, I want to ask you about the, the purchase of
11 the Odessa, Odessa construction permit. There came a time
12 when the construction permit was purchased from Lever
13 Brothers. Were you ever provided any specific information as
14 to what the financial details were concerning that purchase of
15 that construction permit?

16 A Yes. Mrs. Duff and I talked about it.

17 Q Now, did you receive any oral or written specific
18 information?

19 A Well, like I say, Mrs. Duff and I would have talked
20 about it. It would have been over the telephone.

21 Q Would you receive nothing in writing from Mrs. Duff?

22 A I believe not, sir.

23 Q You received no, you received no information con-
24 cerning what the -- strike that.

25 Were you ever supplied a coverage map or a